

Response  
Attorney Docket No. 981380A  
Serial No. 10/092,526

**REMARKS**

The Patent Office communication considers the Amendment filed on February 14, 2005, as non-responsive since the limitations of "withdrawn" claim 18 were incorporated into claim 13. Claim 18, however, should have been included with the elected species. Please see the Species Requirement dated July 22, 2003, and the response thereto filed August 11, 2003. Claim 18, however, was inadvertently not listed as reading on the elected species.

Claim 18 should have been included with the elected species. The first embodiment describes the base contact layer being formed of a carbon-doped GaAsSb layer (for example, see page 14, lines 6-9). In addition, page 24, lines 14-19 describes GaInAsSb as an alternative material for the base contact layer 30. Accordingly, claim 18 should have been identified as reading on the elected species. Since claim 18 clearly belongs to the elected subjected matter, reconsideration is respectfully requested.

In the event any fees are required in connection with this paper, please charge Deposit Account No. 50-2866.

Respectfully submitted,

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